

## **EXHIBIT D**

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COMMONWEALTH OF PENNSYLVANIA  
HUMAN RELATIONS COMMISSION  
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[www.phrc.state.pa.us](http://www.phrc.state.pa.us)

May 28, 2008

Daniel Nusbaum  
329 Highland Road  
Pittsburgh PA 15235

RE: Daniel Nusbaum v Monterey Bay Fish Grotto  
Case No. 200704652  
EEOC No. 533200800240

Dear Daniel Nusbaum:

This letter will notify you that the Pennsylvania Human Relations Commission (PHRC) has closed the above referenced case for the following reason(s):

- ☐ The facts you allege fail to state a claim under the PHRAct.
- ☐ Your complaint was not timely filed with the PHRC.
- ☐ You failed to provide requested information or otherwise failed to cooperate with the PHRC to the extent that the Commission has been unable to resolve your charge.
- ☐ The PHRC has made reasonable efforts to locate you and has been unable to do so. You had at least 30 days to respond to a notice sent to your last known address.
- ☐ The respondent has made a reasonable settlement offer which affords full relief for the harm you alleged. At least 30 days have expired since you received notice of this settlement offer.
- ☒ Based upon the Commission's (EEOC) investigation, the PHRC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.
- ☐ You filed a civil action in state or federal court.
- ☐ Your case was closed administratively.

Enclosed is a Notice of Complainant's Rights. The Pennsylvania Human Relations Act also affords the complainant and the respondent the opportunity for comments after the final disposition of the complaint. If you wish to make written comments regarding the complaint, please send them to Arberdella White-Davis, Director of Compliance, at the above address. Your comments will be provided to Commission members.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Homer C. Floyd".

Homer C. Floyd  
Executive Director

HCF: cmw

Enclosure